The Examiner contends that the inventions of Groups I-III are distinct from each other. Applicants respectfully traverse the Restriction Requirement and assert that even assuming, *arguendo*, that Groups I and III represent distinct or independent inventions, to search and examine the subject matter of Groups I and III together would not be a serious burden on the Examiner. The M.P.E.P. § 803 (Seventh Edition, Revision I, February 2000) states:

> If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

Applicants respectfully assert that the subject matter of Groups I and III are so intertwined that a single search would identify any relevant art pertaining to an antibody that specifically binds to the amino acid sequence of SEQ ID NO:3 or the amino acid sequence encoded by the cDNA insert of the plasmid deposited with the ATCC as Accession No. 207180, and methods of making said antibody. Thus, in view of M.P.E.P. § 803, the claims of Groups I and III should be searched and examined in the subject application. Accordingly, Applicants respectfully request that the Restriction Requirement Under 35 U.S.C. § 121 be modified such that Claims 24-70 are examined in one application.

In order to be fully responsive, however, Applicants hereby provisionally elect to prosecute the claims of Group I (Claims 24-64), drawn to antibodies that bind specifically to the amino acid sequence of SEQ ID NO:3 or the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as Accession No. 207180, and pharmaceutical compositions and kits comprising said antibodies, with traverse, without prejudice to Applicants' rights to pursue the non-elected subject matter in other applications.

In view of the provisional election of the claims of Group I, Claims 24, 26, 29, 36, 37, 39, 48-50, and 52 (and claims dependent therefrom) have been amended to recite antibodies that specifically bind to the amino acid sequence of SEQ ID NO: 3 or the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as Accession Number 207180. Further, Claims 65 and 70 have been amended to recite methods of making antibodies that specifically bind to the amino acid sequence of SEQ ID NO: 3 or the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as Accession Number 207180. Support in the specification for the amendments can be found throughout, see, *e.g.*, page 10, line 22 to page 13, line 3 and page 70, line 10 to page 77, line

23. A marked-up version of the claims showing the amendments made herein is enclosed herewith as Exhibit A. In Exhibit A, matter added and deleted is indicated by underlining and brackets, respectively. A copy of the pending claims is enclosed herewith as Exhibit B. Applicants assert that the amendments do not constitute new subject matter, as defined in 35 U.S.C. § 132.

Entry of the amendments and remarks made herein is respectfully requested.

Respectfully submitted,

Date June 20, 2001

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Enclosure

EXHIBIT A

MARKED-UP VERSION OF THE CLAIMS
(FILED JUNE 20, 2001)

APPLICATION SERIAL NO.: 09/503,387
ATTORNEY DOCKET NO.: 7853-178

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24. (amended) A composition of substantially purified antibodies, or fragments thereof, which antibodies specifically bind to a polypeptide comprising an amino acid sequence of SEQ ID NO:3 [or 16], or the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as Accession Number 207180[, or the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as PTA-225].

26. (amended) An isolated non-human antibody or fragment thereof which specifically binds to a polypeptide comprising the amino acid sequence of SEQ ID NO:3 [or 16], or the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as Accession Number 207180[, or the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as PTA-225].

29. (amended) A monoclonal antibody or fragment thereof which specifically binds to a polypeptide comprising the amino acid sequence of SEQ ID NO:3[or 16], or the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as Accession Number 207180[, or the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as PTA-225].

36. (amended) A substantially purified antibody or a fragment thereof which specifically binds to an extracellular domain of the amino acid sequence of SEQ ID NO:3 [or 16].

37. (amended) The antibody of claim 36, wherein the extracellular domain comprises amino acid residues 21 to 269 of SEQ ID NO:3 [or amino acid residues 22 to 267 of SEQ ID NO:16].

39. (amended) The antibody of claim 38, wherein the immunoglobulin-like domain comprises amino acid residues 48 to 88 or 134 to 180 of SEQ ID NO:3 [or amino acid residues 49 to 89 or 135 to 181 of SEQ ID NO:16].

48. (amended) An antibody Fc region fusion polypeptide comprising an antibody Fc region linked to the amino acid sequence of SEQ ID NO:3 [or 16], the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as Accession Number 207180, [the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as PTA-225,] or a fragment of at least 15 amino acid residues of the amino acid sequence of SEQ ID NO:3 [or 16].

49. (amended) The antibody Fc region fusion polypeptide of Claim 48, wherein the amino acid sequence comprises an extracellular domain of the amino acid sequence of SEQ ID NO:3 [or 16].

50. (amended) The antibody of claim 49, wherein the extracellular domain comprises amino acid residues 21 to 269 of SEQ ID NO:3 [or amino acid residues 22 to 267 of SEQ ID NO:16].

52. (amended) The antibody of claim 51, wherein the immunoglobulin-like domain comprises amino acid residues 48 to 88 or 134 to 180 of SEQ ID NO:3 [or amino acid residues 49 to 89 or 135 to 181 of SEQ ID NO:16].

65. (amended) A method of making an antibody that specifically recognizes GPVI, the method comprising:

a) immunizing a mammal with a polypeptide comprising the amino acid sequence of SEQ ID NO:3 [or 16], the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as Accession Number 207180, [the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as PTA-225,] or a fragment of at least 15 amino acid residues of the amino acid sequence of SEQ ID NO:3 [or 16]; and

b) collecting a sample from the mammal that contains an antibody that specifically recognizes GPVI.

70. (amended) The method of claim 65 wherein the antibody specifically binds to an extracellular domain of the amino acid sequence of SEQ ID NO:3 [or 16].

EXHIBIT B

PENDING CLAIMS UPON ENTRY OF THE INSTANT AMENDMENT (FILED JUNE 20, 2001)

APPLICATION SERIAL NO.: 09/503,387
ATTORNEY DOCKET NO.: 7853-178

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24. A composition of substantially purified antibodies, or fragments thereof, which antibodies specifically bind to a polypeptide comprising an amino acid sequence of SEQ ID NO:3, or the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as Accession Number 207180.

25. The substantially purified antibody composition of claim 24, wherein the composition contains human antibodies.

26. An isolated non-human antibody or fragment thereof which specifically binds to a polypeptide comprising the amino acid sequence of SEQ ID NO:3, or the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as Accession Number 207180.

27. The antibody of claim 26 which is a monoclonal antibody.

28. The antibody of claim 27 which is a humanized antibody.

29. A monoclonal antibody or fragment thereof which specifically binds to a polypeptide comprising the amino acid sequence of SEQ ID NO:3, or the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as Accession Number 207180.

30. The antibody of claim 29 which is a human antibody.

31. The antibody of claim 29 which is a humanized antibody.

32. The antibody of claim 29 which is a chimeric antibody.

33. The antibody of claim 29 which is conjugated to a therapeutic moiety.

34. The antibody of claim 29 which is linked to a detectable substance.

35. The antibody of claim 34, wherein the detectable substance is selected from the group consisting of an enzyme, a prosthetic group, a fluorescent material, a luminescent material, a bioluminescent material, and a radioactive material.

36. A substantially purified antibody or a fragment thereof which specifically binds to an extracellular domain of the amino acid sequence of SEQ ID NO:3.

37. The antibody of claim 36, wherein the extracellular domain comprises amino acid residues 21 to 269 of SEQ ID NO:3.

38. The antibody of claim 36, wherein the extracellular domain comprises an immunoglobulin-like domain.

39. The antibody of claim 38, wherein the immunoglobulin-like domain comprises amino acid residues 48 to 88 or 134 to 180 of SEQ ID NO:3.

40. The antibody of claim 36 which is a polyclonal antibody.

41. The antibody of claim 36 which is a monoclonal antibody.

42. The antibody of claim 36 which is a chimeric antibody.

43. The antibody of claim 36 which is a humanized antibody.

44. The antibody of claim 36 which is a human antibody.

45. The antibody of claim 36 which is conjugated to a therapeutic moiety.

46. The antibody of claim 36 which is linked to a detectable substance.

47. The antibody of claim 46, wherein the detectable substance is selected from the group consisting of an enzyme, a prosthetic group, a fluorescent material, a luminescent material, a bioluminescent material, and a radioactive material.

48. An antibody Fc region fusion polypeptide comprising an antibody Fc region linked to the amino acid sequence of SEQ ID NO:3, the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as Accession Number 207180, or a fragment of at least 15 amino acid residues of the amino acid sequence of SEQ ID NO:3.

49. The antibody Fc region fusion polypeptide of Claim 48, wherein the amino acid sequence comprises an extracellular domain of the amino acid sequence of SEQ ID NO:3.

50. The antibody of claim 49, wherein the extracellular domain comprises amino acid residues 21 to 269 of SEQ ID NO:3.

51. The antibody of claim 49, wherein the extracellular domain comprises an immunoglobulin-like domain.

52. The antibody of claim 51, wherein the immunoglobulin-like domain comprises amino acid residues 48 to 88 or 134 to 180 of SEQ ID NO:3.

53. A kit comprising an antibody or fragment thereof as in claim 34, and instructions for use.

54. A kit comprising an antibody or fragment thereof as in claim 46, and instructions for use.

55. A pharmaceutical composition comprising an antibody or fragment thereof as in claim 24, and a pharmaceutically acceptable carrier.

56. A pharmaceutical composition comprising an antibody, or fragment thereof, as in claim 24, a therapeutic moiety, and a pharmaceutically acceptable carrier.

57. A pharmaceutical composition comprising an antibody or fragment thereof as in claim 29, and a pharmaceutically acceptable carrier.

58. A pharmaceutical composition comprising an antibody or fragment thereof as in claim 29, a therapeutic moiety, and a pharmaceutically acceptable carrier.

59. A pharmaceutical composition comprising an antibody or fragment thereof as in claim 33, and a pharmaceutically acceptable carrier.

60. A pharmaceutical composition comprising an antibody or fragment thereof as in claim 33, a therapeutic moiety, and a pharmaceutically acceptable carrier.

61. A pharmaceutical composition comprising an antibody or fragment thereof as in claim 36, and a pharmaceutically acceptable carrier.

62. A pharmaceutical composition comprising an antibody or fragment thereof as in claim 36, a therapeutic moiety, and a pharmaceutically acceptable carrier.

63. A pharmaceutical composition comprising an antibody or fragment thereof as in claim 45, and a pharmaceutically acceptable carrier.

64. A pharmaceutical composition comprising an antibody or fragment thereof as in claim 45, a therapeutic moiety, and a pharmaceutically acceptable carrier.

65. A method of making an antibody that specifically recognizes GPVI, the method comprising:

a) immunizing a mammal with a polypeptide comprising the amino acid sequence of SEQ ID NO:3, the amino acid sequence encoded by the cDNA insert of the plasmid deposited with ATCC as Accession Number 207180, or

a fragment of at least 15 amino acid residues of the amino acid sequence of SEQ ID NO:3; and

b) collecting a sample from the mammal that contains an antibody that specifically recognizes GPVI.

66. The method of claim 65 wherein the polypeptide is recombinantly produced.

67. The method of claim 65 which further comprises purifying antibodies from the sample.

68. The method of claim 65 which further comprises isolating a monoclonal antibody-producing cell from the mammal.

69. The method of claim 68 which further comprises collecting monoclonal antibodies which specifically recognize GPVI from the monoclonal antibody-producing cell.

70. The method of claim 65 wherein the antibody specifically binds to an extracellular domain of the amino acid sequence of SEQ ID NO:3.